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DATE: February 5, 2004

PTO IDENTIFIER: Application Number 09/508,499  
Patent Number

Inventor: Alan F. Merry

MESSAGE TO: US Patent and Trademark Office, Examiner T.C. Barrett

FAX NUMBER: (703) 305-4580 872-9306

FROM: DARBY &amp; DARBY P.C.

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Attorney Dkt #: 01115/000G778-US0

PAGES (Including Cover Sheet): 12

CONTENTS: Response to Office Action (8 pages);  
Amendment Transmittal (1 page);  
Transmittal (1 page); and  
Certificate of Transmission under 37 CFR 1.8 (1 page).

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NW:01115/000G778US0/00130619.DOC (1)

PAGE 1/12 \* RCVD AT 2/5/2004 5:54:41 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-1/2 \* DNIS:8729306 \* CSID:212 753 6237 \* DURATION (mm:ss):03:36

PTO/SB/97 (12-97)

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PTO/99/21 (08-03)

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		Application Number	08/608,489
		Filing Date	April 12, 2000
		First Named Inventor	Alan F. Memy
		Art Unit	3738
		Examiner Name	T. C. Barrett
Total Number of Pages In This Submission		Attorney Docket Number	
		01115/000G778-US0	

## ENCLOSURES (Check all that apply)

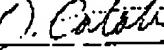
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input checked="" type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
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<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	DARBY & DARBY P.C. Channah Brenenson - 47,442
Signature	
Date	February 5, 2004

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Dated: 2/5/04

Signature: 

AMENDMENT TRANSMITTAL LETTER				Docket No. 01115/000G778-US0	
Application No. 09/508,499	Filing Date April 12, 2000	Examiner T. C. Barrett	Art Unit 3738		
Applicant(s): Alan F. Merry					
Invention: CODING OF SYRINGES TO MONITOR THEIR USE					
TO THE COMMISSIONER FOR PATENTS					
Transmitted herewith is an amendment in the above-identified application.					
The fee has been calculated and is transmitted as shown below.					
CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	35	- 41 =	x	0.00	
Independent Claims	2	- 5 =	x	0.00	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT: 0.00					
<input checked="" type="checkbox"/> Large Entity <input type="checkbox"/> Small Entity <input checked="" type="checkbox"/> No additional fee is required for this amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of \$ _____. A duplicate copy of this sheet is enclosed. <input type="checkbox"/> A check in the amount of \$ _____ to cover the filing fee is enclosed. <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. <input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. 04-0100 as described below. A duplicate copy of this sheet is enclosed. <input checked="" type="checkbox"/> Credit any overpayment. <input checked="" type="checkbox"/> Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.					
<u>Channah Brennenstuhl</u> <span style="float: right;">Dated: February 5, 2004</span> Channah Brennenstuhl Attorney Reg. No.: 47,442					
DARBY & DARBY P.C. P.O. Box 5257 New York, New York 10150-5257 (212) 527-7766					

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Docket No.: 1115/0G778US0  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of: Alan Forbes MERRY

Application No.: 09/508,499

Filed: April 12, 2000

For: CODING OF SYRINGES TO MONITOR  
THEIR USE

Confirmation No.: 1189

Art Unit: 3738

Examiner: T. Barrett

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**RESPONSE TO OFFICE ACTION**

MSAF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**INTRODUCTORY COMMENTS**

The following is a response to the Office Action of December 3, 2004:

Pending claims are listed in this paper beginning on page 2. There are no amendments to the claims requested at this time.

Remarks begin on page 8 of this paper.

(W:\01115\000G778000\00129999.DOC [REDACTED])